

JOHN NOTT—WIDOW OF.

[To accompany Bill H. R. No. 595.]

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APRIL 6, 1860.

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Mr. FOSTER, from the Committee on Invalid Pensions, made the following

REPORT.

*The Committee on Invalid Pensions, to whom was referred the application of Judith Nott, widow of John Nott, for an increase of pension, respectfully report:*

It appears from the evidence adduced before your committee in the application of Judith Nott, widow of John Nott, for an increase of pension, that her husband had served in the United States navy as marine, seaman, and gunner, for a period of fifteen years. The certificate of Commodore Keever proves this.

It further appears, from the testimony of the late Lieutenant Jonathan D. Ferris, that in August, 1814, during the late war with Great Britain, he was ordered to the command of gunboat No 5, one of the flotilla then protecting the coast of Louisiana, and that when he mustered the crew, on taking his command, he found John Nott on board as one of them, performing the duties of gunner; that he was on board at the time of the destruction of the smugglers and pirates at Barrataria, in September, 1814; and that he gallantly fought at his gun when, on the 14th of December, 1814, the flotilla, while under the command of the late Commodore Jones, was captured.

The evidence clearly shows that in this action, where "he conducted himself with fidelity and bravery," to use the language of Lieutenant Ferris, while at his gun, and in the line of his duty, he received a wound in his right hand, which caused the amputation afterwards of his right arm, and received splinter wounds in his right hip and legs, which caused the permanent shortness of that side of his body.

It appears from the evidence that he subsequently applied to the Pension office for the pension due him as an invalid; but, owing to some cause, it was delayed being granted until he died without obtaining it. His widow, by reason of her ignorance of the mode of procedure, and inability from poverty to employ aid, never renewed the application in her own right until, at the 1st session of the 35th Congress, she applied for a pension as the widow of the said John Nott; and

on the 8th day of June, 1858, Congress granted her a pension at the rate due a seaman, when she was entitled to and ought to have received the pension due to a gunner, he having received his disabling wound while acting in this latter capacity.

Your committee are of opinion that the petitioner was entitled, under the law and the facts of this case, to the pension her husband was entitled to at the time of his death, being the half pay of a gunner and the half pay of a seaman; and they accordingly report a bill.